

Opening Statement of Chairman Fred Upton
Subcommittee on Environment and the Economy
Hearing on The Superfund Common Sense Act and The Increasing
Manufacturing Competitiveness Through Improved Recycling Act
June 27, 2012

(As Prepared for Delivery)

Today we'll hear testimony on two bills. Mr. Sullivan's Discussion Draft on recycling and Mr. Long's bill clarifying that manure is not defined as a hazardous substance under the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA.

The other day I visited a paper recycling plant, a terrific facility in my district employing a couple hundred folks who make 100 percent recycled paperboard. In my view, these private sector innovators are the real green jobs we need to be promoting.

The folks at this plant are concerned about getting access to high quality paper fibers that they can recycle into new paper products, whether cartons, cereal boxes, or other types of packaging. They are frustrated that more than 40 percent of good paper fiber goes overseas or into a landfill. They are not asking for federal laws mandating recycling, but they do feel better information is needed both to help the American public understand recycling and to help the recycling community gain access to the types and quantities of feedstock they need to be competitive.

The second bill we will consider today is H.R. 2997, The Superfund Common Sense Act, by Mr. Long. H.R. 2997 will remove a lot of anxiety and bureaucratic compliance cost for people who operate animal feeding operations.

The bill would do two things. First, it would clarify that manure is not included in the CERCLA definitions of "hazardous substance" or "pollutant or contaminant."

This alleviates farmer and rancher worries over possible CERCLA exposure for manure, but it preserves claims under a host of other environmental laws, from the Clean Water Act and Clean Air Act to various state and local ordinances.

Second, the bill eliminates some red-tape paperwork reporting concerns. Mr. Chairman, we all expect animal feeding operations to operate responsibly and with respect for their neighbors and the law. But today we ask: is it more important to apply lots of laws to one operation or just the right ones?

To all our witnesses, thank you for coming. We look forward to your testimony.